

Date: Wed, 02 Feb 2000 12:55:37 -0800
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"Lowrie, John" <John.Lowrie@ca.usda.gov>
Subject: NRCS response to comments RTC Volume 1 and 2

Attached, hopefully, are our comments on RTC Volume 1
and 28:27 AM 2/1/00

Thank you for including the extended comments (ie, ag mitigation) and the shorter ones (thank you's, one liners, etc.). It is important for those who developed and sent them to see them responded to. The response doesn't have to agree with them, but it showed respect to include them as read and thought about. I am much more comfortable with this approach. At the hearings we had promised basically to do this, and it wasn't as apparent in the last version.

IA7.1.11-15:

(1) Fourth sentence is incomplete.

(2) The response to the first bullet will go over better if it refers back to the oft stated "no redirected impacts" with a pledge to work together with the agricultural communities to maintain the productivity and flexibility of agricultural lands to the greatest extent possible while achieving the CALFED goals. If you thought it helpful, you could commit CDFA, ourselves, and, probably, both the Department of Conservation and the Delta Protection Commission to work with them to explore the options available to more fully address this concern. Local and regional groups that are concerned with rural California community sustainability would want to be involved too.

(3) Fourth bullet on LESA is well written, but LESA can be used to identify broad issues of concern, not just growth inducing. A LESA could be custom developed for the Delta to include all the major ag related issues proposed by CALFED (conversions, changes in habitat) and try to get a better sense of how they are interrelated, where the best sites are (an early identification tool), and then, the expected overall impacts can be better ascertained. We agree that it shouldn't be required, but it could be offered as a mechanism for evaluation. [Parenthetically, there is much work to do before one could be developed (funds for digitized soils maps, cooperation between the ERP, ag, respective agencies and local government, probably a staff year or two dedicated to it for a year or so). But, a program that is thirty years in duration should be able to take a few years early to evaluate comprehensively what the combined effects may be, as they request. To focus on this as a "mitigation measure", even though that is what it was offered as, misses what could be done.]

(4) Changes to the above bullets would also temper the answers to the remaining bullets. In other parts of the document, we as CALFED just state that we follow the existing laws, etc. It would be good to reiterate that here, we recommend focusing on any usable concepts and responding positively to those.

IA7.1.11-16:

(1) First bullet, good thoughtful answer, but I wonder if the commentator was really referring to guarantees that when ag conversion takes place that any ag infrastructure (drainage ditches, irrigation canals and diversions, access roads, etc.) will remain in place and functioning for the remaining and neighboring ag uses? I read this as "development agreements to support remaining ag lands" which identify those type of features needed to be able to stay in ag use.

(2) Fourth bullet, what is wrong with "we agree and to the extent possible will do so"?

(3) Fifth bullet, how about "we agree and this is part of the alternatives developed." If you have to add "therefore this is not applicable nor needed as mitigation".

IA7.1.11-18: Third item, add at end of first sentence "and will do so where feasible."

IA7.1.11-19: May need to include the explicit comment, since this is a very detailed answer. Or rewrite the summarized comment differently.

IA7.1.11-20: This one is best read simply, they want more "positives" for agriculture since the "adverses" are so detailed. A commitment to work together towards identifying win-wins is appropriate.

IA7.2.1-1: This one is best responded to simply, use whatever we have been saying to show that we do not get in the way of local control. This a fear that is being expressed over loss of local control.

IA7.2.3-1: I am not sure of their exact wording, but it is possible that the "high value of water to agriculture" just means that the millions of acres of irrigated crops are dependent upon water.

IA7.7.11-5 and 11-6 incomplete

IA7.10.-1,4,-5-,etc. I presume we are waiting for the answers?

IA7.10.7.3-3: "Diversification of agricultural" in an agricultural context can mean changing crops, changing from a single ag enterprise to multiple ag enterprises, going from processor ready to fresh market ready crops, etc. So it can directly benefit individual farmers and their communities.

IA7.11.9 and on, incomplete

For the incompletes, if we have to review these again, either the bold print or the "puppy feet" at the side flag my attention best.

IA8.1-8: NRCS does not have a Conservation Reserve Program, the USDA Farm Services Agency does. There is not currently an authorized Conservation Reserve Enhancement Program (CREP) in California, all though there are various groups discussing developing one or more. If a CREP were authorized, it is a partnership between the USDA Secretary of Agriculture and the Governor, implemented through the authorities of the USDA Farm Services Agency. NRCS provides technical assistance on these programs through agreements with the USDA Farm Services

Agency.

IA8.1.7-1: We do not agree with the statement "were coordinated with NRCS and were performed in compliance with FPPA." Delete it. As CALFED identifies individual actions and the exact pieces of land associated with them, then the federal agency responsible for the action is responsible for identifying those actions in writing to NRCS, we are responsible for telling the agency if the proposed action is on land classified as prime or unique farmland. This is a reporting requirement and an identification tool. It isn't mitigation and it is not programmatic clearance. The wording in IA8.2-3 and/or IA9.0-2 rewritten and adapted for this issue, may be better here.

IA9.2-1: The requirements under FPPA should definitely be part of this new "process" discussed. (See response to IA8.1.7-1).

11:15 AM 2/1/00

NRCS response:

Contact Luana Kiger at 530-792-5661 if questions arise.

IP.1.1-1: Third paragraph, the new underlined portion could reference LESA as a possible tool.

IPF.5.2-4: Delete last sentence of response, it discusses a topic not in the comment.

IPF.5.3-3: Add "and was not available in the past" to the end of the third sentence in the response.

IPF.5.4.7-9: Delete the first two sentences of response. Reword the comment to be more specific, then use the simple "CALFED does not agree with this comment." Saying it is "false" may make the author feel like they have been called a liar, this won't be productive.

IPF.5.5-6: If the original finance discussion doesn't show links between the principles and how they will be carried out in philosophy, if not in explicit detail, then the comment is probably accurate. The

emphasis in the response is on the level of detail and not on the comment. Did we or did we not discuss the links? Rewrite the comment to be more explicit, then respond to it.

ERP.0-35: Interesting comments in the footnotes. What is the answer? This is a major flaw if I am reading the footnotes correctly!

ERP II.4.8-1: Does "biological benefits" include for water quality improvements?

ERP II.7.5-5: I am not sure if the response gets at "protection plan" for the cold springs. I am not familiar with the site, but, sometimes this means fencing off or other physical means of protection.

ERP II.13.10-1: Somehow, this just doesn't feel right. Has legal checked? We say we have expended funds even if we don't have a need to do so since the FWS would go ahead anyway.

ERP II.14.8-2: I think they just want CALFED to list the points they raised as stressors.

ERP III.0-2: Delete last sentence of response. Add new first sentence of "CALFED does not agree with the comment."

WQ.1.0.0-2, 1.3.0-2, 1.4.0-2, 1.4.0-5: These all have essentially the same response, why not bundle the comments in bullets and respond once.

WQ.12.3-2: Did the commentator really say a supper authority? Lunch maybe, but not supper.

I would combine and bullet the comments for 12.3-1 and -2 since the response is basically the same.

WUE.6.6-1: Delete the second paragraph of the response, its preachy.

MS.3.2-4: Can CALFED really get a buy off from the regulatory agencies in advance of a listing? We haven't been able to do it when working with them. This is worth a legal check.



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